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H – 1054

International Court of Justice

H1054 - 0002

Com.A.
Take 4 Pg. 1.
Meehan
25 July
Affidavits.

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

SUBMISSION OF AFFIDAVITS BY THE DEFENSE PURSUANT TO THE ORDER OF THE TRIBUNAL DATED 5 JULY 1946.

25 July 1946.

COMMISSIONER:

Mr. George R. Taylor

SA REITERKORPS.

(THE COMMISSION CONVENED AT 1400 HOURS.)

COMMISSIONER TAYLOR: We will proceed with the submission of Affidavits for the SA Reiterkorps. The newt affidavit is NSRK 68.

DR. LOEFFLER: NSRK AFFIDAVIT NO. 68 by Fritz Stimmermann of Out Korton near Unna/West.

Close associations of unpolitical rural horse riders, which existed in Germany until 1933, were forced to affiliate with the so-called NS Reiterkorps of the SA otherwise they would have been dissolved. The dissolvement of these associations would have meant a heavy discomfort for those farmers who kept horses as only within those associations young farmers could acquire knowledge of horse breeding and horse keeping, as well as treatment of sick horses, in addition to the improvement of the efficiency of horses. After the so-called "Gleichschaltung" the aims and tasks of these horse back rider associations were called NS Reiterkorps and were not ordered.

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COMMISSIONER TAYLOR: Any objections to the affidavit as submitted?

MR. BARRINGTON: No objections.

COMMISSIONER TAYLOR: Let the afidavit be marked NSRK No. 68 for identification.

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DR. LOEFFLER: NSRK AFFIDAVIT NO. 69 by Robert Cang, Stuttgart-Vaihingen.

There is a question how service in the NS Reiterkorps actually took form. Service in the NS Reiterkorps was done exclusively with the rather heavy working horses of the members, Since these, as a rule, belonged to the peasantry that service could be only discharged Sundays and only at times when the horses were little used for agriculture purposes. Service was totally missing at working times in spring, hay time, corn harvest, cabbage and potato harvest and particularly during fruit picking time. Horses doing duty on week days generally once a week had night work. It had to be considered that most members were very busy and horses were used for agriculture. Apart from that evening duties included instructions about horse keeping, horse breeding, practise in harmony, first aid and accidents and other questions specifically concerning horses.

COMMISSIONER TAYLOR: Any objections to the affidavit as submitted?

MR. BARRINGTON: No objections.

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COMMISSIONER TAYLOR: Let the affidavit be marked NSRK NO. 69 for identification.

****

DR. LOEFFLER: NSRK AFFIDAVIT NO. 70 by Franz Bissinger of Wuppertal-Barmen.

The Wehrmacht did not attach any value to people who came from the Reiterkorps as in the Wehrmacht these people had to be entirely re-trained. The Wehrmacht had special military and horse-back training and did not admit interferrance from organizations on the outside. Therefore, the so-called Reiterschein certificate of horsemanship had no essential importance. This can be understood and the riders were allowed to join the company on horseback since after the accession to power, the Wehrmacht adopted even more mechanized units and only a small part of the possessors of the Reiterschein certificates of horsemanship could join such a unit. The Wehrmacht and the NS Reiterkorps did not collaborate either on military strategy or technical subjects.

COMMISSIONER TAYLOR: Are there any objections to this affidavit?

MR. BARRINGTON: I have no objections.

COMMISSIONER TAYLOR: Let the affidavit be marked NSRK No. 70 for identification.

****

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DR. LOEFFLER: NSRK AFFIDAVIT NO. 71 by Hans Wucherer of Munchen/Solln.

Wucherer was formerly landesstallmeister in Bavaria and in charge of horse breeding in the land.

The NS Reiterkorps came into existance only after the accession to power and had no part in the actual accession to power of the Nazis.

COMMISSIONER TAYLOR: Are there any objections to this affidavit?

MR. BARRINGTON: I have no objections.

COMMISSIONER TAYLOR: Let this affidavit be marked NSRK NO. 71 for identification.

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DR. LOEFFLER: NSRK AFFIDAVIT NO. 72 by Trangott von Stackelberg of Dogenhof/Konstana.

Stackelberg, a doctor of Degenhof, was chairman of the German society for peace in Singen/Baden and for 25 years was president of the Society of Friends (Quaker). As a convinced pacifist he rejected military service in 1914 against the government of the Czar and was exiled in Siberia for three years. For many years he was a member of the Reiterkorps. There was no Nazi spirit in the NS Reiterkorps training in Weltanschauliche. The NS Reiterkorps did not contribute to ~~the~~ fortify the control of Germany by the Nazis. Another witness, also a pacifist, was a member of the NS Reiterkorps. The NS Reiterkorps

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was not participating in preparations for aggressive wars.

COMMISSIONER TAYLOR: Are there any objections to this affidavit?

MR. BARRINGTON: I have no objections.

COMMISSIONER TAYLOR: Let this affidavit be marked NSRK NO. 72 for identification.

****

DR. LOEFFLER: NSRK AFFIDAVIT NO. 73 by Leonhard Roeser of Essen, Maybachstr 6.

Leonhard Roeser was in the west of Germany. The NS-Reiterkorps never took part in political demonstrations and very frequently were openly critical. Criticism was heard in the NS-Reiterkorps concerning the NSDAP and the behaviour of their leaders.

COMMISSIONER TAYLOR: Are there any objections to this affidavit?

MR. BARRINGTON: I have no objections.

COMMISSIONER TAYLOR: Let this affidavit be marked NSRK NO. 73 for identification.

****

DR. LOEFFLER: NSRK AFFIDAVIT NO. 74 by Walter Stiebner of Bamberg.

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Walter Stiebner was an oberfranken member of the NS-Reiterkorps and he never participated in schools of the SA nor did he take part in any of their dealings. All the members of the NS-Reiterkorps joined after 19 33. When the Reiterkorps was formed only two reiters were members of the NSDAP. At the same time among the members and friends of the NS-Reiterkorps were leading anti-fascists. For instance, the lawyer Schwiegervater and the half Jewishman Liesel Hamburger, whose father was in a concentration camp.

COMMISSIONER TAYLOR: Are there any objections to this affidavit?

MR. BARRINGTON: I have no objections.

COMMISSIONER TAYLOR: Let this affidavit be marked NSRK NO. 74 for identification.

****

DR. LOEFFLER: NSRK AFFIDAVIT NO. 75 by Waldemar von Oppenheim, Koln.

Oppenheim was a reiter of the famous ho rse breeding place Schlenderhan and was persecuted by the Gestapo on account of his Jewish parents and his family. The witness testifies that the attitude of the NS*Reiterkorps was never anti-semètic.

COMMISSIONER TAYLOR: Are there any objections to this affidavit?

MR. BARRINGTON: I have no objections.

DR. LOEFFLER: Counsel suggests approval in spite of the fact that the affidavit was not signed by an officer of the military Government,

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but only by a public notary in Cologne.

COMMISSIONER TAYLOR: Let the affidavit be marked NSRK NO. 75 for identification.

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DR. LOEFFLER: Counsel now submits affidavit #76, ALFRED KRAUSS, Stuttgart-Korntal. "In the opinion of the NS-Reiterkorps, the General SA was not of a criminal character. Certain accesses of immaterial members of the General SA appealed to the members of the NS-Reiterkorps as acts of individuals which couldn't always be avoided in a military organization. According to the members of the NS-Reiterkorps, these accesses were not in accordance with the program of the SA and were disapproved by the SA leadership. Of these accesses the members of the NS-Reiterkorps learned only afterwards, disapproved these seriously and were satisfied to see that the SA leadership disassociated themselves from these acts and tried to make repetitions impossible."

MR. BARRINGTON: No objection.

COMMISSIONER TAYLOR: Let the affidavit as submitted be marked NSRK 76 for identification.

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DR. LOEFFLER: Next is affidavit #77, HERMANN KNIEPKAMP, Kettwig/Ruhr. "The whole set up of the NS-Reiterkorps was that nobody could think that membership in the NS-Reiterkorps was membership of a criminal organization. Witness took part for years in contests and knows exactly conditions in the Rhineland and Westfalen and testifies that in these regions no member of the NS-Reiterkorps could think that his membership with the NS-Reiterkorps was participation in the striving to criminal aims against peace and humanity."

COMMISSIONER TAYLOR: Any objection to the affidavit?

MR. BARRINGTON: No objection.

COMMISSIONER TAYLOR: Let the affidavit be marked NSRK 77 for identification.

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DR. LOEFFLER: No new points of view are brought out in the next seven affidavits, but these only confirm that there was no difference all over Germany in the different districts. Counsel, therefore, submits that these affidavits only should be named as local affidavits without indicating their individual contents. A submission of that kind has already been made in the first session of the Commission on the 8th of July, and the submission approved of these affidavits as local affidavits.

COMMISSIONER TAYLOR: What are the contents of the affidavits?

DR. LOEFFLER: All these affidavits say that the Reiterkorps was purely a sport organization, had no political activity and did not take any part in any action, and that they had no military training.

COMMISSIONER TAYLOR: I understand there are seven affidavits there. Are there any objections to the seven affidavits being submitted?

MR. BARRINGTON: I have no objections at all.

DR. LOEFFLER: I should like to indicate the numbers as follows: English Zone NSRK-78, JOSEF CRUMBACH, Aachen, Rhineland.

COMMISSIONER TAYLOR: Let the affidavit be marked NSRK 78 for identification.

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DR. LOEFFLER: Next isWestfalen, NSRK 79, PFARRER GRONEMEYER. Thencomes affidavit from the American Zone, NSRK 80, HERTA BECKERS, Wiesbaden.

MR. BARRINGTON: Were there women in the Reiterkorps?

DR. LOEFFLER: No, not yet.

MR. BARRINGTON: I thought this affidavit said that. She is not a member?

DR. LOEFFLER: No.

MR. BARRINGTON: How does she know about it if she isn't a member?

DR. LOEFFLER: Her husband was a member and for many years she took part in many activities of the Reitersturm.

COMMISSIONER TAYLOR: Let the affidavit be marked NSRK #80 for identification.

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DR. LOEFFLER: The French Zone, NSRK-81--HEINRICH WEIS, Koblenz.

COMMISSIONER TAYLOR: Let the affidavit be marked NSRK-81 for identification.

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DR. LOEFFLER: The Russian Zone, NSRK-82, DR. ING. ERNST HAMM, St. Georgen. Counsel wishes to emphasize that this is the Russian Zone.

COMMISSIONER TAYLOR: When did you get the affidavit from the Russian Zone?

DR. LOEFFLER: During the last week - just a few days. It is a member of the Reiterkorps who is living now in the French Zone in the Black Forest. All attempts to supply affidavits directly from the Russian Zone so far have proved unsuccessful.

COMMISSIONER TAYLOR: Let the affidavit as submitted be marked NSRK 82 for identification.

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DR. LOEFFLER: The next affidavit also comes from the Russian Zone. NSRK-83, CARL BERGER, Ludwigsburg, formerly Demin.

COMMISSIONER TAYLOR: You mean he formerly lived in the Russian Zone?

DR. LOEFFLER: Yes.

COMMISSIONER TAYLOR: Let the affidavit be marked NSRK-83 for identification.

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DR. LOEFFLER: Also the following affidavit comes from the Russian Zone from Schlesien, NSRK 84, HANS TZSCHASCHEL, Emmendingen, formerly Liegnitz.

COMMISSIONER TAYLOR: Let the affidavit be marked NSRK-84 for identification.

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DR. LOEFFLER: The next affidavit is being prepared, but it hasn't reached us, and I ask for permission to submit it because it is very important. Witness is an American citizen, lives in Geneva, Switzerland, and had made all preparations to come here to testify. Recently, she wrote that she had already paid a visit

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to the police station in Geneva, but she was informed that she couldn't go to Germany without telling the reasons. Thereafter, she wrote that she would send a written affidavit. She is a famous tournament rider and lived for many years in Germany in continuous comradeship with the NS-Reiterkorps.

COMMISSIONER TAYLOR: You don't have the affidavit, do you?

DR. LOEFFLER: No, I hope to get it within the days and ask for permission to submit it later.

MR. BARRINGTON: Could we read the summary?

COMMISSIONER TAYLOR: Did you prepare the affidavit and send it?

DR. LOEFFLER: No, because I have a chance to go to Geneva myself within the next few days probably, and then I'll have the affidavit taken in the presence of a Notary Public.

COMMISSIONER TAYLOR: I'll have to wait/~~before~~ until the affidavit is received before we put the summary in the record. Proceed with the other affidavits.

DR. LOEFFLER: As soon as the affidavit arrives, ~~is~~ is it to be submitted with #85 or another number?

COMMISSIONER TAYLOR: Another number.

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DR. LOEFFLER: Now follows an affidavit which is meant to explain a photograph. The picture is here and we got a letter which explains that photograph, although not in the form of an affidavit. We immediately wrote asking for an affidavit, but that affidavit did not arrive yet. The photo is important because it shows a Jewish member of the Reiterkorps participating in the tournament while jumping a fence.

COMMISSIONER TAYLOR: Would you want to see the picture, Mr. Barrington?

MR. BARRINGTON: I have the picture, but I don't understand what it is to prove.

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DR. LOEFFLER: This document is to prove that Jews were fully recognized members of the NS-Reiterkorps also during the Nazi Regime. This picture originated from 1934. Today we had a discussion with the prosecution, discussing whether submission of that photograph was admissible and Col. Griffith Jones suggested to submit that photo in an affidavit in this Commission.

MR. BARRINGTON: Very well, I have no objection.

COMMISSIONER TAYLOR: Let the affidavit be marked NSRK-85 for identification.

DR. DDEFFLER: To clarify the matter I would like xk to ask which number is to be given the affidavit which belongs to that photograph. It is to arrive within the next few days. This is necessary, because the photo can't be understood without that affidavit.

MR. BARRINGTON: It is a little bit unusual to introduce the photo separately and not with the affidavit.

COMMISSIONER TAYLOR: I don't quite understand what counsel has asked.

DR. LOEFFLER: When counsel submits affidavit later which belongs to that photograph, he wants to clarify whether it gets a separate number or not.

COMMISSIONER TAYLOR: Will there be a photograph attached to the affidavit?

DR. LOEFFLER: Yes, because from the photograph it can't be seen in which year it was taken and that it was a Jew.

COMMISSIONER TAYLOR: Then when counsel submits it, he should refer back to NSRK-85.

DR. LOEFFLER: Very xk well, I understand.

MR. BARRINGTON: I'm not quite clear on that. The affidavit itself is not yet at hand. When it comes, it must come with this photo. He can't refer to this particular photo. He must have another copy of it.

COMMISSIONER TAYLOR: Yes, I merely suggested that when he presents it, he refers back to NSRK-85 for identification. Is that all of your affidavits?

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DR. LOEFFLER: There is still one more. Next is the affidavit which we gave 85 TRAUGOTT FREIHERR VON STACKELBERG, Degenhof/Tengen. To this affidavit the witness attaches a decree of Reichsstatthalters in Baden of June 7, 1937. This Reichsstatthalters, as the highest representative of the Nazi Party, directed this decree to the land government of Baden. In this decree it was said that an official of the state had to be dismissed on account of his Anti-Nazi attitude and the official defended himself by saying that he was a member of the NS-Reiterkorps. The Reichsstatthalters in this decree declared that membership in the NS-Reiterkorps did not constitute political activity. With reference to this affidavit, counsel says that the affidavit consists of two different parts. The affidavit itself, the text of the decree of the Reichsstatthalters and the counsel asks if they are to be given two separate numbers?

Will we be entitled to submit that photo together with the affidavit within the next few days when we receive it?

COMMISSIONER TAYLOR: Yes.

DR. LOEFFLER: We haven't finished yet. We still have to make sure which affidavits have to be submitted to the Tribunal in total.

COMMISSIONER TAYLOR: You have requested the Tribunal to permit.....

DR. LOEFFLER: In conclusion I would like to ask for permission for final statement - whether it is correct - that list.

COMMISSIONER TAYLOR: Go ahead.

DR. LOEFFLER: #1 Dr. HAUBRICH, Koln - that was approved by the Commission on 8 July for submission in total, but Col. Neave said that final decision should be met only after this session of the Commission - afterall the affidavitshad been submitted. He gave me permission to submit approximately ten affidavits in total to the Tribunal and now it has been stated which ones these ten are to be.

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COMMISSIONER TAYLOR: Does he mean he desires to have these affidavits translated into the English, French, and Russian?

DR. LOEFFLER: Yes.

COMMISSIONER TAYLOR: All of the affidavits as submitted to the Commission will be summarized and a number of them translated in full, which will be submitted to the Tribunal.

DR. LOEFFLER: So I was told in the first session of the Commission and already been decided upon, but now it has been approved finally.

COMMISSIONER TAYLOR: Which of these affidavits to you wish translated?

DR. LOEFFLER: #1 DR. HAUBRICH, Koln; #68 FRITZ SUMMERMANN; #70 FRANZ BISSINGER; #13 GENERALOBERST GUDERIAN; #72 TRAUGETT VON STACKELBERG; #75 WALDEMAR FON OPPENHEIM; #21 EMIL MASCHMANN, Mains/Kurpfalz; #24 RUDOLF ERPF, Coburg; #29, HANS RIETLI, Stuttgart; #30, EUGEN WAGNER, Eslingen; #64, PAUL SCHAFFER, Magdeburg. There are altogether eleven. I can to without #64, although it is the only one from the Russian Zone for the Tribunal.

COMMISSIONER TAYLOR: That's Paul Schaffer. You don't request that to be translated?

DR. LOEFFLER: If it is approved, I would welcome it, because it is the only one from the Russian Zone. It is only two pages.

COMMISSIONER TAYLOR: The defense counsel has requested that the affidavits hereinbefore referred to as to number given them in this proceeding together with the names be translated for the purpose of submitting to the Tribunal. Are there any objections to that?

MR. BARRINGTON: I have no objections. No sir.

DR. LOEFFLER: I would like to refer to the decision of the Commission #2579 in the German record of 8 July. There the Commission ordered to have affidavit #13, Generaloberst Guderian to be submitted to the Tribunal in total.

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This decision was made because he declared that this affidavit was the most important of all of them. I would only like to observe that this affidavit has already been approved for submission to the Tribunal in total. Then I have a last point - today I withdrew submission of personal hearing of university professor Schramm from Gottingen. He was heard as a witness on 8 June before the Tribunal for the General Col. Jodl. I wanted to make use of my right to cross examine him, but President Lawrence ruled that I should hear him before the Commission here. In a discussion with Col. Neave I denounced my right to do so and tomorrow in order to shorten the proceedings, I will only submit an affidavit. I ask for approval. Really I would have the right to ask for a cross examination, but an affidavit saves a lot of time.

COMMISSIONER TAYLOR: Let me get that straight. This witness is appearing before Commission I now or in the morning.

DR. LOEFFLER: No, I don't mean that - I think it is another witness. He was already examined by the Tribunal.

COMMISSIONER TAYLOR: Is this witness a member of the General Staff?

DR. LOEFFLER: He was with headquarters of the fuehrer, and there he was in charge of the journal. In 1938 he was present in the Munich conference and he submitted to Prime Minister Chamberlain.....

COMMISSIONER TAYLOR: Let me make this announcement. If and should you have any further affidavits, arrange to have the same summarized and in proper form to submit to the Commission before next Wednesday. And an additional announcement - the organization will be entitled to present their affidavits ~~xxxxxx~~ formally to the Tribunal, but they should be summarized in a ~~xxx~~ brief summary. When I say summary, I don't mean the Tribunal will tolerate a lengthy summary. Or should I correct myself and say not that the Tribunal will not tolerate it, but is is my personal opinion that they will not, and, therefore,

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am merely suggesting to the defense counsel for the organizations that they will have an opportunity to present formally to the Tribunal the affidavits which we received, together with the transcripts, and your own summary.

This is all the affidavits you have for the Reiterkorps?

DR. LOEFFLER: Yes. I have taken notice of everything the Tribunal said, so I don't know if it will be possible to submit that affidavit from abroad.

COMMISSIONER TAYLOR: Let's take a ten minute recess.

Recess: 1609

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MR TAYLOR: We will take an adjournment until ten o'clock tomorrow.

(The Commission adjourned to 26 July 1946 at 1000 hours)

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The foregoing is atrue and correct transcript of Affidavits submitted by DR, LOEFFLER, taken on 25July 1946.

Alice Meehan
Reporter (pp 1-7

Bernice Winkler
Reporter (pp 8-16

Charles Hallagler
Reporter (pp 17

CERTIFIED TO :

Geo. R. Taylor
Commiss ioner

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OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS? TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

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COMMISSIONER TAYLOR : Any objections to the affidavit as submitted?

Mr. BARRINGTON : No objections.

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company on horseback since after the accession to power, the Wehrmacht adopted even more mechanized units and only a small part of the possessors of the Reiterschein certificates of horsemanship could join such a unit. The Wehrmacht and the NS Reiterkorps did not collaborate either on military strategy or technical subjects.

COMMISSIONER TAYLOR : Are ther any objections to this affidavit?

MR. BARRINGTON : I have no objections.

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Stackelberg, a doctor of Degenhof, was chairman of the German society for peace in Singen/Baden and for 25 years was president of the Society of Friends (Quaker). As a convinced

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pacifist he rejected military service in 1914 against the government of the Czar and was exiled in Siberia for three years. For many years he was a member of the Reiterkorps. There was no Nazi spirit in the NS Reiterkorps training in Wolbanschauliche. The NS Reiterkorps did not contribute to fortify the control of Germany by the Nazis. Another witness, also a pacifist, was a member of the NS Reiterkorps. The NS Reiterkorps was not participating in preparations for aggressive wars.

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COMMISSIONER-TAYLOR : Are there any objections to this affidavit?

MR. BARRINGTON : I have no objections.

DR. LOEFFLER : Counsel suggests approval in spite of the fact that the affidavit was not signed by an officer of the military Government, but only by a public notary in Cologne.

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MR BARRINGTON: No objection.

COMMISSIONER TAYLOR: Let the affidavit as submitted be marked NSRK 76 for identification.

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DR. LOEFFLER: Next is affidavit #77, Hermann Kniepkamp, Kettwig/Ruhr. "The whole set up of the NS-Reiterkorps was that nobody could think that membership in the NS-Reiterkorps was membership of a criminal organization. Witness took part for years in contests and knows exactly conditions in the Rhineland and Westfalen and testifies that in these regions no member of the NS-Reiterkorps could think that his membership with the NS-Reiterkorps was participation in the striving to criminal aims against peace and humanity."

COMMISSIONER TAYLOR: Any objection to the affidavit?

MR BARRINGTON: No objection.

COMMISSIONER TAYLOR: Let the affidavit be marked NSRK 77 for identificati

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DR. LOEFFLER: No new points of view are brought out in the next seven affidavits, but these only confirm that there was no difference all over Germa in the different districts. Counsel, therefore, submits that these affidavits only should be named as local affidavits without indicating their individual contents. A submission of that kind has already been made in the first session of the Commission on the 8th of July, and the submission approved of these affidavits as local affidavits.

COMMISSIONER TAYLOR: What are the contents of the affidavits?

DR. LOEFFLER: All these affidavits say that the Reiterkorps was purely

a sport organization, had no political activity and did not take any part in any action, and that they had no military training.

COMMISSIONER TAYLOR: I understand there are seven affidavits there. Are there any objections to the seven affidavits being submitted?

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MR BARRINGTON: I have no objections at all.

DR. LOEFFLER: I should like to indicate the numbers as follows; English Zone NSRK-78. Josef Crumbach, Aachen, Rhineland.

COMMISSIONER TAYLOR: Let the affidavit be marked NSRK 78 for identification.

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DR. LOEFFLER: Next is Westfalen, NSRK 79 Pfarrer Gronemeyer. Then comes affidavit from the American Zone, NSRK 80, Herta Beckers, Wiesbaden.

MR BARRINGTON: Were there women in the Reiterkorps?

DR. LOEFFLER: No, not yet.

MR BARRINGTON: I thought this affidavit said that. She is not a member?

DR. LOEFFLER: No.

MR BARRINGTON: How does she know about it if she isn't a member?

DR. LOEFFLER: Her husband was a member and for many years she took part in many activities of the Reitersturm.

COMMISSIONER TAYLOR: Let the affidavit be marked NSRK #80 for identification.

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DR. LOEFFLER: The French Zone, NSRK-81--Heinrich Wels, Koblenz.

COMMISSIONER TAYLOR: Let the affidavit be marked NSRK-81 for identification.

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DR. LOEFFLER: The Russian Zone, NSRK-82, DR. Ing. Ernst Hamm, St. Georgen. Counsel wishes to emphasize that this is the Russian Zone.

COMMISSIONER TAYLOR: When did you get the affidavit from the Russian Zone?

DR. LOEFFLER: During the last week - just a few days. It is a member of the Reiterkorps who is living now in the French Zone in the Black Forest. All attemps to supply affidavits directly from the Russian Zone so far have proved unsuccessful.

COMMISSIONER TAYLOR: Let the affidavit as submitted be marked NSRK 82 for identification.

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DR. LOEFFLER: The next affidavit also comes from the Russian Zone. NSRK-83,

Carl Berger, Ludwigsburg, formerly Demin.

COMMISSIONER TAYLOR: You mean he formerly lived in the Russian Zone?

DR. LOEFFLER: Yes.

COMMISSIONER TAYLOR: Let the affidavit be marked NSRK-83 for identification.

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DR. LOEFFLER: Also the following affidavit comes from the Russian Zone from Schlesien, NSRK 84, Hans Tzschaschel, Emmendingen, formerly Liegnitz.

COMMISSIONER TAYLOR: Let the affidavit be marked NSRK-84 for identification.

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DR. LOEFFLER: The next affidavit is being prepared, but it hasn't reached us, and I ask for permission to submit it because it is very important. Witness is an American citizen, lives in Geneva, Switzerland, and had made all preparations to come here to testify. Recently, she wrote that she had already paid a visit to the police station in Geneva, but she was informed that she couldn't go to Germany without telling the reasons. Thereafter, she wrote that she would send a written affidavit. She is a famous tournament rider and lived for many years in Germany in continuous comradeship with the NS-Reiterkorps.

COMMISSIONER TAYLOR: You don't have the affidavit, do you?

DR. LOEFFLER: No, I hope to get it within the days and ask for permission to submit it later.

MR BARRINGTON: Could we read the summary?

COMMISSIONER: Did you prepare the affidavit and send it?

DR. LOEFFLER: No, because I have a chance to go to Geneva myself within the next few days probably, and then I'll have the affidavit taken in the presence of a Notary Public.

COMMISSIONER TAYLOR: I'll have to wait until the affidavit is received before we put the summary in the record. Proceed with the other affidavits.

DR. LOEFFLER: As soon as the affidavit arrives. is it to be submitted with #85 or another number?

COMMISSIONER TAYLOR: Another number.

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DR. LOEFFLER: Now follows an affidavit which is meant to explain a photograph. The picture is here and we got a letter which explains that photograph, although not in the form of an affidavit. We immediately wrote asking for an affidavit,

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but that affidavit did not arrive yet. The photo is important because it shows a Jewish member of the Reiterkorps participating in the tournament while jumping a fence.

COMMISSIONER TAYLOR: Would you want to see the picture, Mr. Barrington?

MR BARRINGTON: I have the picture, but I don't understand what it is to prove.

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DR. LOEFFLER: This document is to prove that Jews were fully recognized members of the NS-Reiterkorps also during the Nazi Regime. This picture originated from 1934. Today we had a discussion with the prosecution, discussing whether submission of that photograph was admissible and Col. Griffith Jones suggested to submit that photo in an affidavit in this Commission.

MR. BARRINGTON: Very well, I have no objection.

COMMISSIONER TAYLOR: Let the affidavit be marked NSRK-85 for identification.

DR. LOEFFLER: To clarify the matter I would like to ask which number is to be given the affidavit which belongs to that photograph. It is to arrive within the next few days. This is necessary, because the photo can't be understood without that affidavit.

MR. BARRINGTON: It is a little bit unusual to introduce the photo separately and not with the affidavit.

COMMISSIONER TAYLOR: I don't quite understand what counsel submits affidavit later which belongs to that photograph, he wants to clarify whether it gets a separate number or not.

COMMISSIONER TAYLOR: Will there be a photograph attached to the affidavit?

DR. LOEFFLER: Yes, because from the photograph it can't be seen in which year it was taken and that it was a Jew.

COMMISSIONER TAYLOR: Then when counsel submits it, he should refer back to NSRK-85.

DR. LOEFFLER: Very well, I understand.

MR. BARRINGTON: I'm not quite clear on that. The affidavit itself is not yet at hand. When it comes, it must come with this photo. He can't refer to this particular photo. He must have another copy of it.

COMMISSIONER TAYLOR: Yes, I merely suggested that when he presents it, he refers back to NSRK-85 for identification. Is that all of your affidavits?

DR. LOEFFLER: There is still one more. Next is the affi-

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davit which we gave 85 Traugott Freiherr von Stackelberg, Dogenhof Tongen. To this affidavit the witness attaches a decree of Reichsstatthalters in Baden of June 7, 1937. This Reichsstatthalters, as the highest representative of the Nazi Party, directed this decree to the land government of Baden. In this decree it was said that an official of the state had to be dismissed on account of his Anti-Nazi attitude and the official defended himself by saying that he was a member of the NS-Reiterkorps. The Reichsstatthalters in this decree declared that membership in the NS-Reiterkorps did not constitute political activity. With reference tot this affidavit, counsel says that the affidavit consists of two different parts. The affidavit itself, the text of the decree of the Reichsstatthalters and the counsel asks if they are to be given two separate numbers?

Will we be entitled to submit that photo together with the affidavit within the next few days when we receive it?

COMMISSIONER TAYLOR: Yes.

DR. LOEFFLER: We haven't finished yet. We still have to make sure which affidavits have to be submitted to the Tribunal in total.

COMMISSIONER TAYLOR: You have requested the Tribunal to permit.....

DR. LOEFFLER: In conclusion I would like to ask for permission for final statement - whether it is correct - that list.

COMMISSIONER TAYLOR: Go ahead.

DR. LOEFFLER: No. 1 Dr. Haubrich, Koln - that was approved by the Commission on 8 July for submission in total, but Col. Heave said that final decision should be not only after this session of the Commission - after all the affidavits had been submitted. He gave no permission to submit approximately ten affidavits in total to the Tribunal and now it has been stated which ones those ten are to be.

COMMISSIONER TAYLOR: Does he mean he desires to have these affidavits translated into English, French, and Russian?

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DR. LOEFFLER: Yes.

COMMISSIONER TAYLOR: All of the affidavits as submitted to the Commission will be summarized and a number of them translated in full, which will be submitted to the Tribunal.

DR. LOEFFLER: So I was told in the first session of the Commission and already been decided upon, but now it has been approved finally.

COMMISSIONER TAYLOR: Which of these affidavits do you wish translated?

DR. LOEFFLER: No. 1 Dr. Haubrich, Koln; No. 68 Fritz Summermann; No. 70 Franz Bissinger; No. 13 Generaloberst Guderian; No. 72 Traugott von Stackelberg; No. 75. Waldemar fon Oppenheim; No. 21 Emil Maschmann, Mains/Kurpfalz; No. 24 Rudolf Erpf, Coburg; No. 29, Hans Rietli, Stuttgart; No. 30, Eugen Wagner, Eslingen; No. 64, Paul Schaffer, Magdeburg. There are altogether eleven. I can do without No. 64, although it is the only one from the Russian Zone for the Tribunal.

COMMISSIONER TAYLOR: That's Paul Schaffer. You don't request that to be translated?

DR. LOEFFLER: If it is approved, I would welcome it, because it is the only one from the Russian Zone. It is only two pages.

COMMISSIONER TAYLOR: The defense counsel has requested that the affidavits hereinbefore referred to as to number given than in this proceeding together with the names be translated for the purpose of submitting to the Tribunal. Are there any objections to that?

MR. BARRINGTON: I have no objections. No sir.

DR. LOEFFLER: I would like to refer to the decision of the Commission No. 2579 in the German record of 8 July. There the Commission ordered to have affidavit No. 13, Generaloberst Guderian to be submitted to the Tribunal in total. This decision was made because he declared that this affidavit was the most important of all of them. I would only like to observe that this affidavit has already been approved for submission to the

Tribunal in total. Then I have a last point - today I withdrew submission of personal hearing of university professor Schramm from Gottingen. He was heard as a witness on 8 June before the Tribunal for the General Col. Jodl. I wanted to make use of my right to cross examine him, but President Lawrence ruled that I should hear him before the Commission here. In a discussion with Col. Neave I denounced my right to do so and tomorrow in order to shorten the proceedings, I will only submit an affidavit. I ask for approval. Really I would have the right to ask for a cross examination, but an affidavit saves a lot of time.

COMMISSIONER TAYLOR: Let me get that straight. This witness is appearing before Commission I now or in the morning.

DR. LOEFFLER: No, I don' mean that - I think it is another witness. He was already examined by the Tribunal.

COMMISSIONER TAYLOR: Is this witness a member of the General Staff?

DR. LOEFFLER: He was with headquarters of the Fuehrer, and there he was in charge of the journal. In 1938 he was present in the Munich conference and he submitted to Prime Minister Chamberlain.....

COMMISSIONER TAYLOR: Let me make this announcement. If and should you have any further affidavits, arrange to have the same summarized and in proper form to submit to the Commission before next Wednesday. And an additional announcement - the organization will be entitled to present their affidavits formally to the Tribunal, but they should be summarized in a brief summary. When I say summary, I don't mean the Tribunal will tolerate a longthy summary. Or should I correct myself and say not that the Tribunal will not tolerate it, but it is my personal opinion that they will not, and, therefore, am merely suggesting to the defense counsel for the organizations that they will have an opportunity to present formally to the Tribunal the affidavits which we received, together with the transcripts, and your own summary.

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This is all the affidavits you have for the Reiterkorps?

DR. LOEFFLER: Yes. I have taken notice of everything the Tribunal said, so I don't know if it will be possible to submit that affidavit from abroad.

COMMISSIONER TAYLOR: Let's take a ten minute recess.

Recess: 1609

MR. TAYLOR: We will take an adjournment until ten o'clock tomorrow.

(The Commission adjourned to 26 July 1946 at 1000 hours.)

The foregoing is a true and correct transcript of Affidavits submitted by Dr. Loefflor, taken on 25 July 1946.

Alice Meehan
Reporter

Bernice Winkler
Reporter

Charles Gallagher
Reporter

CERTIFIED TO:

Geo. R. Taylor
Commissioner